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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

LUCAS BRUNO III, CHRISTOPHER)	CIVIL NO. 03-00567 JMS BMK
GAHR, FRANK ROBERT PAULSON,)	
CHARLES TURNER, and TOM)	DEFENDANT'S MOTION IN LIMINE
YOUNG,)	TO EXCLUDE TESTIMONY OF
)	PATRICK COLLINS REGARDING
Plaintiffs,)	DEROGATORY RACIAL STATEMENTS;
)	MEMORANDUM IN SUPPORT OF
vs.)	MOTION; CERTIFICATE OF SERVICE
)	
MICHAEL CHERTOFF, Secretary,)	
DEPARTMENT OF HOMELAND)	Trial: April 17, 2007
SECURITY,)	Judge: J. Michael Seabright
)	
Defendant.)	
_____)	

DEFENDANT'S MOTION IN LIMINE TO EXCLUDE TESTIMONY
OF PATRICK COLLINS REGARDING DEROGATORY RACIAL STATEMENTS

Pursuant to Rules 402 and 403 of the Federal Rules of
Evidence, defendant hereby moves this court to exclude from
evidence certain derogatory racial statements made by witness

Patrick Collins. The grounds for this motion are set forth in the attached memorandum in support.

DATED: March 20, 2007, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Thomas A. Helper
THOMAS A. HELPER
Assistant U.S. Attorney

Attorneys for Defendant

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LUCAS BRUNO III, CHRISTOPHER)	CIVIL NO. 03-00567 JMS BMK
GAHR, FRANK ROBERT PAULSON,)	
CHARLES TURNER, and TOM)	CERTIFICATE OF SERVICE
YOUNG,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
MICHAEL CHERTOFF, Secretary,)	
DEPARTMENT OF HOMELAND)	
SECURITY,)	
)	
Defendant.)	
_____)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served by First Class Mail:

Moises A. Aviles	March 20, 2007
Aviles & Associates	
560 N. Arrowhead Ave., Suite 2A	
San Bernardino, CA 92401	

Served Electronically through CM/ECF:

G. Todd Withy	March 20, 2007
Withylawcourt@aol.com , withylaw@aol.com	

Attorneys for Plaintiff
CHRISTOPHER GAHR

DATED: March 20, 2007, at Honolulu, Hawaii.

/s/ Coleen Tasaka-Shoda
